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Representing the United States of America

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

United States of America,

Plaintiff,

v.

Pastor Fausto Palafox, et al

Defendant.

Case No. 2:16-cr-265-GMN-CWH

**Stipulation To Continue Response
Deadline as to ECF No. 1198**

The United States, by and through undersigned attorney, and defendant
Palafox, by and through his undersigned attorneys, stipulate the government be

1 given until October 29, 2018, to respond to defendant's Motion to Suppress Evidence
2 Obtained by Unlawful Wiretaps. ECF No. 1198.¹ The reasons are stated below.

3 On September 20, 2018, the Court granted the parties' stipulation to extend
4 the defendant's filing date for his motion to suppress. That stipulation
5 inadvertently gave the government fourteen days to respond instead of the thirty-
6 or-so-day period provided for responses in the latest modification to the Complex
7 Case Order, ECF No. 689.

8 The government needs the additional time to respond to the motion. The
9 defendant filed his motion under seal on September 27, 2018, and it contains 86
10 pages counting the cover, table of contents, and table of authorities, and 78 pages
11 not counting these items. He also filed a motion for leave to file an oversize brief.
12 ECF No. 1197. The government filed a response opposing the motion for leave. ECF
13 No. 1223. As of now, neither has the defendant filed a reply nor has the Court
14 issued its ruling. The government believes it needs the Court's ruling on the motion
15 for leave so it knows what it will be responding to.

16 The thirty-day response period would require the government to file its
17 response on October 29, 2018, given that the thirtieth day falls on a weekend.
18 Consistent with the amended complex case order, then defendant would then have
19

20
21 ¹ Motions for joinder were filed by defendants Juarez (ECF No. 1216), Lozano (ECF No. 1243), and Gonzalez (ECF
22 No. 1263).

1 fourteen days to file his reply. That due date would be November 13, 2018, because
2 the fourteenth day is a Federal Holiday.

3 The additional time will not affect the scheduled trial date of January 28,
4 2019.

5 Respectfully submitted this 11th day of October, 2018.

6 DAYLE ELIESON
United States Attorney

7 /s/ Daniel R. Schiess
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13 */s/ Paola M. Armeni*

14 PAOLA M. ARMENI
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15 */s/ Karen A. Connolly*

16 KAREN A. CONNOLLY
Attorney for Defendant JUAREZ

17 */s/ Michael J. Kennedy*

18 MICHAEL J. KENNEDY
Attorney for Defendant GONZALEZ

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UNITED STATES MAGISTRATE

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